

# C-A OPERATIONS PROCEDURES MANUAL

Included herein is the method used by C-AD Management to apply disciplinary actions to the behaviors listed in OPM 1.26, C-AD Standards for Disciplinary Action. These methods are based on the concept of “Just Culture” described in References 1 and 2.

An effective safety system depends upon the willing participation of the workforce, especially the workers who are in direct contact with the hazards. A “no-blame” culture is not desirable since there is a small portion of unsafe behaviors that are done deliberately with the actions and consequences intended (e.g. criminal activity, substance abuse, reckless noncompliance, sabotage, etc.) which require disciplinary action of appropriate severity. A blanket amnesty on all unsafe acts creates a lack of credibility in the eyes of employees.

C-AD management recognizes that the majority of errors and unsafe acts are blameless and that fostering employees to openly report problems and errors will provide information that allows improvements in safety, human performance and defenses.

In OPM 1.26 a clear line that is drawn between acceptable and unacceptable behaviors which fosters both personal accountability and Departmental self-regulation in safety, security and other activities.

Figure 1 shows the decision tree used to determine the culpability of an unsafe act. If the violations apply to an accident, injury or near-miss, Figure 1 shall be applied separately to each violation or error. In an organizational accident, there are likely to be a number of unsafe acts or errors and Figure 1 is to be applied separately to each of them.

Guidance for the use of each of the five questions in the top row of Figure 1 is given below. To use Figure 1, start with the question in the upper left corner of the figure.

**Intended Act:**

The first question relates to intention. If both actions and consequences were intended, then it is possibly criminal behavior, such as sabotage, which is to be dealt with immediately.

**Under the Influence of Alcohol or Drugs:**

Determine if alcohol or drugs are involved that are known to impair performance at the time of the accident or violation. If the drug is prescribed and not used for illegal purposes, this shall be taken into account as a mitigating factor. The BNL Clinic shall make this determination when requested in accordance with the SBMS subject area [Requesting Determination of Fitness for Duty](#).

**Deliberate Violation of the Rules:**

Determine if the system (i.e., the local conditions or the organization) promoted or discouraged the violation. Determine if the violation was automatic, i.e. part of the routine way of doing business such as short cuts and thus an organizational issue. This question applies when the consequences of the act were not intended or expected. Most violations of rules are not done to produce a bad outcome. Thus the quality, workability, correctness, and availability of procedures and rules, including work planning for the activity must be examined.

**Substitution Test:**

This is the key question that will be applied to persons who are involved in accidents or violations. Within the bounds of privacy, peers should be consulted. This question is consistent with the understanding that the best people can make the worst errors.

Ask the following questions of the peers: Would a different, well-motivated, comparably competent and qualified individual have made the same error under similar circumstances? In the light of how events unfolded and were perceived by those involved in real time (no hindsight), is it likely that you would have committed the same or similar type of unsafe act or error?

If the answer is 'Yes', then the individual who made the error may be considered to be blameless. However, in any of these situations, there could be other reasons for the behavior such as performing the work under the influence of alcohol or a drug known to impair performance, fooling around, being overly fatigued, or using equipment, PPE or tools known to be inappropriate.

If 'No', determine if there were organizational induced reasons for the error such as insufficient training, insufficient experience, time pressures, improper work planning for the individual, etc. If there were no organizational induced reasons, the behavior is considered to be negligent.

**Repetitive Errors:**

The last question reviews if the individual has committed unsafe acts in the past. This does not mean that there is culpability but may imply that additional training or counseling is needed.

**If there will be discipline applied:**

The supervisor must discuss and obtain approval of the proposed disciplinary measures with the Department Chair.

In accordance with the SBMS subject area on [Disciplinary Actions](#), written reprimands, disciplinary suspensions, and discharges must have the prior concurrence of the Labor Relations Manager and/or Director, Human Resources & Occupational Medicine. For ESH violations, the approval of the Assistant Laboratory Director for Environment, Safety, Health and Quality (ESH&Q), or designee, is also required. The Director, Human Resources & Occupational Medicine is responsible for any additional notifications or approvals required by the circumstances of a particular case.

**References:**

1. Reason J., *Managing the Risks of Organizational Accidents*, Ashgate Publishing Ltd., 1997, Hants, England,
2. Human Performance Fundamentals Course Reference, National Academy for Nuclear Training, 2002. Institute of Nuclear Power Operations.
3. [C-A-OPM 1.26](#), C-AD Standards for Disciplinary Action
4. SBMS Subject Area, Requesting [Determination of Fitness for Duty](#).  
SBMS Subject Area, [Disciplinary Actions](#).

